**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION No. 25411 of 2003

Between:

M/s.Blue Star Iron Scrap Mart, Tarapet, Vijayawada, Krishna Dist.,

rep., by its Manager Shri Munwar Khan.

..... PETITIONER

AND

1 M/s.Oil and Natural Gas Corporation Ltd., Rajahmundry, E.G.Dist.,

rep., by its Managing Director
2 MSTC Limited, Subbaramireddy Complex, 3rd Floor, 30-15-76,

Dabagardens, Visakhapatnam rep., by its Managing Director

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or a writ more particularly one in the nature of mandamus directing the respondents to allow the petitioner to lift the balance scrap pursuant to the tender acceptance dated
22-1-2003 of the 2nd respondent after declaring the letter dated
25-6-2003 of the 2nd respondent as arbitrary, illegal and violative of the principles of natural justice.

Counsel for the Petitioner : Mr. C.KODANDA RAM

Counsel for Respondent No.1 : Mr.K.VENKAT RAO

Counsel for Respondent No.2 : Mr.K.SAIRAM MURTHY

The Court made the following :

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**ORDER:**

Heard both sides and at their request, the main writ petition itself is taken up for disposal.

It is represented across the bar that having regard to the fact that in view of the interim directions passed by this Court in W.V.M.P.Nos. 554 and 1213 of 2004 dated 13-07-2004, the representation filed by the petitioner has already been considered and the same was rejected by an order dated 5-8-2004. In view of the same, nothing survives in the writ petition.

Accordingly, the writ petition is dismissed. However, it shall be open to the petitioner to file fresh proceedings, if he is so advised.

No costs.

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20-08-2004

Kvrk/DA

To

1 The Managing Director, M/s.Oil and Natural Gas Corporation Ltd.,

Rajahmundry, E.G.Dist.

2 The Managing Director,MSTC Limited, Subbaramireddy Complex, 3rd

Floor, 30-15-76, Dabagardens, Visakhapatnam.

3 Two CD copies.